

1 Mathew K. Higbee, Esq.
IL Bar No. 6319929
2 **HIGBEE & ASSOCIATES**
3110 W. Cheyenne, Suite 200
3 North Las Vegas, NV 89032
(714) 617-8373
4 (714) 597-6559 facsimile
Email: mhigbee@higbee.law

5 *Attorney for Plaintiff,*
6 TAMARA WILLIAMS,

7
8 **UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

9 TAMARA WAREKA p/k/a TAMARA
WILLIAMS

10 Plaintiff,

11 v.

12 KHAN MEDICAL CLINIC LLC.; and
13 DOES 1 through 10 inclusive,

14 Defendants.

Case No. 1:25-cv-3294

**COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF**

COPYRIGHT INFRINGEMENT

DEMAND FOR JURY TRIAL

15
16
17 Plaintiff, Tamara Williams by and through her undersigned counsel, brings this
18 Complaint against Defendant KHAN MEDICAL CLINIC LLC and DOES 1 through
19 10, inclusive, and alleges as follows:

20 **NATURE OF THE ACTION**

21 This is a civil action seeking damages and injunctive relief for copyright
22 infringement under the Copyright Act of the United States, 17 U.S.C. § 101 et seq.

23 **JURISDICTION AND VENUE**

24 1. This is a civil action seeking damages and injunctive relief for
25 copyright infringement under the Copyright Act of the United States, 17 U.S.C. §
26 101 et seq.

27 2. This Court has subject matter jurisdiction over Plaintiff's claims for
28 copyright infringement pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

1 insurers of the Defendants named in this caption.

2 **FACTUAL ALLEGATIONS**

3 ***Plaintiff Tamara Williams is a professional photographer***

4 9. Tamara Williams is a highly successful freelance photographer
5 specializing in beauty and fashion photography. Williams is most well-known for her
6 natural and clean model portraiture featured on her highly popular Instagram account
7 @tamarawilliams (previously @tamarawilliams1), which has amassed over 600,000
8 followers.

9 10. Williams' work has been featured in top publications such as *Vogue*,
10 *Harper's Bazaar*, *Marie Claire*, *Elle*, *L'Officiel*, *Glamour*, *Cosmopolitan*, *Maxim*,
11 and many more. Additionally, her work has been used commercially by brands such
12 as *NARS*, *KKW*, *Fenty*, and *Benefit*.

13 11. Williams is the sole creator and exclusive rights holder to a beauty
14 photograph of model Angelia ("Beauty Photograph").

15 12. Attached hereto as Exhibit A is a true and correct copy of the Beauty
16 Photograph.

17 13. Williams registered the Beauty Photograph with the United States
18 Copyright Office under Registration No. VA 2-259-542 with an effective date of
19 registration of July 13, 2021.

20 14. Attached hereto as Exhibit B is a true and correct copy of Registration
21 VA 2-259-542

22 ***Defendant KMC is a commercial business***
23 ***with online marketing***

24 15. Upon information and belief, Defendant is and was at all relevant times,
25 the owner and operator of a commercial website <https://www.khanmedclinic.com/>
26 ("Defendant's Website").

27 16. According to Defendant's Website, KMC is an "integrative medicine
28 and medspa" clinic that focuses on "whole body care", offering aesthetic services

1 such as facials; microneedling; threading; and injections to name a few. *See generally*
2 <https://www.khanmedclinic.com/>.

3 17. KMC manages, operates, and controls an Instagram page,
4 @khanmedclinic <https://www.instagram.com/khanmedclinic/> (“Defendant’s
5 Instagram”) which promotes Defendant’s services and encourages users to make
6 appointments with them to use their services.

7 18. KMC manages, operates, and controls a Facebook page, “Khan
8 Medical Clinic – Integrative Medicine and Medspa”
9 <https://www.facebook.com/khanmedicalclinic/> (“Defendant’s Facebook”) which
10 promotes Defendant’s services and encourages users to make appointments with
11 them to use their services.

12 19. Defendant’s Instagram and Defendant’s Facebook shall collectively be
13 referred to as “Defendant’s Social Media Pages”.

14 20. On information and belief, Defendant’s Social Media Pages generate
15 content in order to promote Defendant(s)’ services, attract social media followers and
16 user traffic to Defendant’s Website, and generate profit and revenue for the company
17 and its owner(s).

18 21. Specifically, Defendant’s Instagram “Biography” section contains an
19 active hyperlink that directs users to Defendant’s Website as well as a direct link to
20 make payments for procedures.

21 22. Specifically, Defendant’s Facebook “Intro” section contains an active
22 hyperlink that directs users to Defendant’s Website as well as a direct link to make
23 payments for procedures.

24 23. At all relevant times, Defendant’s Social Media Pages were readily
25 accessible to the general public throughout Illinois, the United States, and the world.

26 24. At all relevant times, Defendant had a direct financial interest in the
27 content and activities of Defendant’s Website and Defendant’s Social Media Pages
28 (including the activities alleged in this Complaint).

Defendant's Infringing Conduct

25. On or about January 2, 2025, Williams discovered her Beauty Photograph published to and displayed on Defendant's Instagram in a post captioned "It's mid-May! Whether you need a touch up or are ready to freshen up for summer, take advantage of this month's specials! #integrativehealth #medspa #injectables #botox #tox #filler #prp #prf #microneedling #hairrestoration #pdothreads #rf #lhr #arlingtonheights #chicago #wedding #graduation" (the "Instagram Post").

26. Defendant placed the words "LIP FILLER \$100 off (full syringe) on top of the Beauty Photograph as part of its use in the Instagram Post.

27. Attached hereto as Exhibit C is a true and correct screenshot of the Beauty Photograph published to and displayed on Defendant's Instagram in the Instagram Post.

28. On or about January 2, 2025, Williams discovered Beauty Photograph published to Defendant's Facebook in a post promoting a black Friday sale (the "Facebook Post").

29. Specifically, Defendant placed the words "BLACK FRIDAY Deals" and "\$75 LIP FLIP or 25% OFF FILLERS/TOX" directly next to the Beauty Photograph in the Facebook Post.

30. Attached hereto as Exhibit D is a true and correct screenshot of the Beauty Photograph published to and displayed on Defendant's Facebook in the Facebook Post.

31. The Instagram Post and the Facebook Post shall collectively be referred to as "the Infringing Posts".

32. Shortly after discovering the unauthorized use of the Beauty Photographs, Williams, through counsel, reached out to Defendant to resolve this matter without Court intervention, but the Defendant would not engage in settlement discussions.

33. In no event did Williams consent to, authorize, or provide Defendant

1 with a license to make a copy or publicly display the Beauty Photograph on
2 Defendant's Social Media Pages with the Infringing Posts or in any other manner.

3 34. Williams is informed and believes Defendant (including their
4 employees, agents, contractors or others over whom they have responsibility and
5 control) created an unauthorized copy of the Beauty Photograph and caused it to be
6 uploaded to and displayed on Defendant's Social Media Pages in the Infringing
7 Posts.

8 35. Williams is informed and believes that the purpose of the use of the
9 Beauty Photograph on Defendant's Social Media Pages was to promote and
10 encourage sales of Defendant's products and services by providing a high-quality,
11 professionally-produced photograph to assist the viewer in visualizing the results that
12 could be achieved by using Defendant's products and services.

13 36. Specifically, in the Instagram Post, Defendant used the Beauty
14 Photograph to promote its lip filler services and advertise a \$100 off special.

15 37. Specifically, in the Facebook Post, Defendant used the Beauty
16 Photograph to promote its black Friday deals for its "lip flip" and "fillers/tox"
17 services.

18 38. Williams is informed and believes Defendants (including their
19 employees, agents, contractors or others over whom they have responsibility and
20 control) used, displayed, published, posted, and otherwise held out to the public
21 Williams' original and unique Photograph in order to acquire a direct financial
22 benefit, through revenue from the sales of Defendant's products and services, from
23 the use of the Beauty Photograph.

24 39. On information and belief, Defendant's use of the Beauty Photograph
25 was deliberate and willful because it knew or should have known that it did not
26 purchase a license to use the Beauty Photograph.

**CAUSE OF ACTION
COPYRIGHT INFRINGEMENT
17 U.S.C. § 101 *et seq.***

40. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein. Plaintiff did not consent to, authorize, permit, or allow in any manner the said use of Plaintiff's unique and original Beauty Photograph.

41. Williams owns a valid copyright in the Beauty Photograph.

42. Williams registered the Beauty Photograph with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

43. Plaintiff is informed and believes and thereon alleges that the Defendant willfully infringed upon Plaintiff's rights in the copyrighted Beauty Photograph in violation of Title 17 of the U.S. Code, in that it used, published, communicated, benefited through, posted, publicized, and otherwise held out to the public for commercial benefit, the original and unique Beauty Photograph of the Plaintiff without Plaintiff's consent or authority, and acquired monetary gain and market benefit as a result.

44. Specifically, Defendant made an unauthorized copy and then publically displayed the Beauty Photograph with the Infringing Posts on Defendant's Social Media Pages.

45. As a result of Defendants' violations of Title 17 of the U.S. Code, Williams has sustained significant injury and irreparable harm.

46. As a result of Defendant's violations of Title 17 of the U.S. Code, Plaintiff is entitled to any actual damages pursuant to 17 U.S.C. § 504(b), or statutory damages pursuant to 17 U.S.C. § 504(c).

47. As a result of the Defendants' violations of Title 17 of the U.S. Code, the court in its discretion may allow the recovery of full costs from Defendants as well as reasonable attorney's fees pursuant to 17 U.S.C. § 505.

48. Plaintiff is also entitled to injunctive relief to prevent or restrain infringement of her copyright pursuant to 17 U.S.C. § 502.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- For a finding that Defendants infringed Williams' copyright interest in the Beauty Photograph by copying, displaying, and distributing it without a license or consent;
- For an award of actual damages and disgorgement of all of Defendant's profits attributable to the infringement as provided by 17 U.S.C. § 504 in an amount to be proven or, in the alternative, at Plaintiff's election, an award for statutory damages against Defendant pursuant to 17 U.S.C. § 504(c), whichever is larger;
- For costs of litigation and reasonable attorney's fees against each Defendant pursuant to 17 U.S.C. § 505;
- For an injunction preventing each Defendant from further infringement of all copyrighted works of the Plaintiff pursuant to 17 U.S.C. § 502;
- For pre judgment interest as permitted by law; and
- For any other relief the Court deems just and proper.

Dated: March 27, 2025

Respectfully submitted,

/s/ Mathew K. Higbee
Mathew K. Higbee, Esq.
IL Bar No. 6319929
HIGBEE & ASSOCIATES
3110 W. Cheyenne, Suite 200
North Las Vegas, NV 89032
(714) 617-8373
(714) 597-6559 facsimile
Counsel for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff, Tamara Williams hereby demands a trial by jury in the above matter.

Dated: March 27, 2025

Respectfully submitted,

/s/ Mathew K. Higbee
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